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Library Of Congress
James Madison Memorial Building LM-401
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AUG 31 2005

GENERAL COUNSEL
OF COPYRIGHT

@ CCAS 8/29/05

From: 3WK L.L.C.
2711 Macklind Rd.
St. Louis MO 63139

DOCKET NO.
RM 2005-2
COMMENT NO. 9

Re: 3WK L.L.C. Response to:

37 CFR Part 270 [Docket No. RM 2005-2]
Notice and Recordkeeping for Use of Sound Recordings Under
Statutory License
AGENCY: Copyright Royalty Board, Library of Congress
ACTION: Supplemental request for comments

Concern:

H. Field Delimiters and Text Indicators

SoundExchange proposes the field delimiter for a data string be a pipe ("|") and that the text indicator be a caret ("^") and that in no instance may a field delimiter or text indicator appear in a data string. SoundExchange comments Exhibit B at 8 (May 27, 2005). Harvard and NRBMLC/Salem propose the use of commas for field delimiters and quotes as text delimiters, arguing that these are the industry standards. NRBMLC/Salem comments at 1-2 (May 27, 2005).

2. What problems will be created by allowing the use of commas and quotes as field delimiters and text indicators, respectively? How can such problems, if any, be avoided?

3WK L.L.C. response:

In that many artist names, song names, album titles, and record label names include commas and quotes, we are concerned that the use of commas and quotes as delimiters would cause problems in the Notice and Recordkeeping report.

* Late

Concern:

I. Data Fields

SoundExchange requests that all data appearing in data fields be in upper case characters (ex. THE ROLLING STONES). SoundExchange comments Exhibit B at 11 (May 27, 2005). CBI submits that while the:

[U]se [of] all capital letters in the data fields might be convenient for SoundExchange, [it] is a substantial problem for stations in numerous ways. Stations that have existing databases would have to go back and change every record in their database, not an insignificant prospect. This would be a time consuming task that would also likely induce additional errors in the database. Stations that manually enter the data by hand at the time of use will likely encounter many unintentional cases of the data being entered improperly. Further, those that utilize this data for other uses will likely not want the data to be in all capital letters, which would require such stations to maintain two separate databases.

1. What are the costs/benefits of requiring all data fields to be in upper case characters? Will the SoundExchange data processing system accept lower case characters in a data field and combinations thereof?

3WK L.L.C. response:

We believe that requiring all data to appear in upper case characters would be a significant problem for 3WK. Our current database has the artist in upper case characters, but all other information is mixed. As 3WK is essentially 2 people, changing our entire database would require significant data entry which we, as a very small company, do not have either the manpower or finances to hire the manpower, to accomplish said task.

Also:

I. Data Fields

SoundExchange requests that all data appearing in data fields be in upper case characters (ex. THE ROLLING STONES). SoundExchange comments Exhibit B at 11 (May 27, 2005).

3WK L.L.C. response:

The example used here – THE ROLLING STONES – shows useage of the word THE before an artist name. Unfortunately, the word THE is not consistantly used by the labels and artists when describing an artist name. Sometimes we will receive different albums by the same artists, one with the word THE used, and one without the word THE. Therefore, we suggest that SoundExchange accept both THE ROLLING STONES, and ROLLING STONES.

Concern:

J. Abbreviations

SoundExchange requests that there not be any abbreviations permittid in the data fields. SoundExchange comments Exhibit B at 11 (May 27, 2005). CBI, NRBMLC/Salem and WHRB object. CBI submits that disallowing abbreviations will increase the likelihood of data entry errors due to the voluntary nature of staff and/or the requirement would "cause a major expense and/or disruption" to their existing practices. CBI comments at 11 (May 27, 2005).